

REMARKS

Claims 39-53, 55, and 58 are pending are pending, in which no claim is amended, newly presented, or canceled.

The Office Action mailed February 26, 2004 rejected claims 39-53, 55, and 58 under 35 U as obvious under 35 U.S.C. § 103 based on *Choy et al.* (US 5,551,027) in view of *Kingberg et al.* (US 5,734,887).

This rejection is respectfully traversed because neither *Choy et al.* nor *Kingberg et al.* suggest the features of the claims and there is no motivation of one skilled in the art to modify *Choy et al.* to add such features. For example, independent claims 39, 43, 46, and 50 recite: “wherein the dump file includes statements in a data description language (DDL) describing how to recreate the data contained in said each of the selected partitions of the table.”

The Office Action acknowledges—correctly—that “Choy does not explicitly disclose wherein the dump file includes statements in a data description (DDL) describing how to recreate the data contained in said each of the selected partitions of the table” (p. 4). In fact, doing so to *Choy et al.* would destroy its principle of operation. Specifically, *Choy et al.* is directed to a multi-tiered indexing method for partitioned data in distributed or parallel database systems (col. 4.62-65). More specifically, there is “a Local Index created and maintained for each partition of the table” (col. 5.28-29). *Choy et al.*, col. 12.42-49, which includes a passage cited in the Office Action, further explains:

Since Local Indexes are maintained for the individual partitions, each partition may be packaged as a separate data module that contains its own access methods. Such a self-contained data module may be used as a transportable database unit, for instance, on a massively distributed database system. After a data module is mounted, scanning its Local indexes in order to update the Global Indexes is fast and easy.

As best understood, the Office Action apparently reads the recited “dump file” on *Choy et al.*’s data module. *Choy et al.*, however, does not disclose—and, in fact, teaches against—a “dump file” that “includes statements in a data description language (DDL) describing how to **recreate** the data contained in said each of the selected partitions of the table” because indexes refer to actual data records. Having to **recreate** the data records generally and using DDL to do so in particular would be less “fast and easy” than if the data module merely contained a binary image of the data. Efficiency is an important object of *Choy et al.* (e.g. col. 7.46-48: “the Global Index Entry may contain record identifiers (RIDs) in addition to partition IDs for efficiency reasons”).

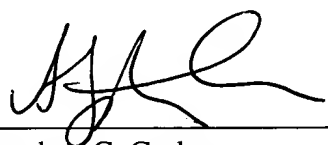
Notwithstanding *Choy et al.*’s teaching against the invention, *Kingberg et al.* fails to supply the disclosure missing from *Choy et al.* Column 18.45-46 merely states that “a database description may be produced via standard Database Description Language.” There is no disclosure in *Kingberg et al.* here or anywhere else, however, of modifying a distributed partition data module having a Local Index referring to particular data records such as that described in *Choy et al.* to include “statements in a data description language (DDL) describing how to recreate the data contained in said each of the selected partitions of the table.”

Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at 703-425-8516 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

DITTHAVONG & CARLSON, P.C.

5/26/2009
Date



Stephen C. Carlson
Attorney/Agent for Applicant(s)
Reg. No. 39929

10507 Braddock Rd
Suite A
Fairfax, VA 22032
Tel. 703-425-8516
Fax. 703-425-8518